

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	\$	DEMAI OTHER	JUDGE	JURY	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR								NUMBER	DEM.	YR.	NUMBER
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PLAINTIFFS

WILLIAM G. LACKEY, III

DEFENDANTS

COLLEX, INC., a Pennsylvania corporation; COLLEX LEASING, INC., a Pennsylvania corporation; and COLLEX FRANCHISING OF AMERICA, INC., a Pennsylvania corporation

CAUSE

Suit for rescission and breach of contract

ATTORNEYS

Richard B. Noulles  
2010 Fourth Natl. Bank Bldg.  
Tulsa 74119  
582-9201

Jack I. Gaither (all defts.)  
Law Bldg., Suite 100  
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Co-Counsel  
Paul N. Sandler  
Hovsepian & Sandler  
1620 Locust St.  
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215/732-1620

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DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD	DATE MAILED
JS-5	4-1-76
JS-6	6-4-78

DATE	NR.	PROCEEDINGS
3-9-76	1.	Petition for removal, filed. hm
3-9	2.	Bond on removal, filed. hm
3-9	3.	Notice of filing of petition and bond on removal by deft., filed. hm
3-9	4.	Acknowledgment of the Clerk of the Dist. Ct. in & for Tulsa Co., Okla. of receipt of copy of notice, petition & bond on removal, filed. hm
3-9	5.	Defts' request for jury trial, filed. hm
4-6	6.	Pltf's First Interrog. to Defts Collex, Inc.; Collex Leasing, Inc., & Collex Franchising of America, Inc., filed. t
5-10	7	Defts, Collex, Inc., Collex Leasing, Inc., & Collex Franchising of America, Inc., ANSWER, filed. t
5-13	8.	Pltf's request for admissions, filed. k
5-17		Depo of William G. Lackey before Evelyn E. Rutherford, filed; costs pad by Defts. \$45.00. t
6-22	MO	Parties are directed to hold PT conf. on or before 8-5-76 & file PT Order on or before 8-11-76. (AEB-J)s cps by cert ml
6-23	9.	Ans. to Pltf's first interrogatories, filed. s
6-23	10	Ans. of Defts to Pltf's request for admissions, filed. s
6-29	11	Pltf's notice of claim of attorney's lien, filed. s
7-2	12	Pltf's motion to produce to defts. Collex, Inc, Collex Leasing, Inc., and Collex Franchising of America, Inc., filed. s
7-2	13	Pltf's second interrogatories to Defts., filed. s
7-8	14.	Appl. of Collex Leasing, Inc. and Collex Franchising of America, Inc. to file Cross-Complaints, filed. ph
7-8	15.	Pltf's Third interrogatories to Defts., filed. b
7-9	16.	Order, filed, that Collex Leasing Inc., & Collex Franchising of America, Inc., are given leave to file cross-complaints. (AEB-J)b
7-9	17.	Cross-complaint of Collex Franchising of America, Inc., filed. b
7-9	18	Cross-complaint of Collex Leasing, Inc., filed. b
7-9	19.	Pltf's Reply to counterclaim of Collex Leasing, Inc., filed. b
7-9	20.	Pltf's Reply to counterclaim of Collex Franchising of America, Inc., filed. b
7-9	21.	Joint application to strike from pre-trial docket, filed. b 0 to J
7-16	22.	Order, filed, striking from P/T of 6-22-76, in which P/T is due <sup>order</sup> 8-11-76, to be reset at late date upon order of the Court. (AEB-J)b
8-16	23.	Defts' answers to pltf's thrid interrogatories, filed. s
8-16	24.	Defts. Collex, Inc.; Collex Leasing, Inc.; and Collex Franchising of America, Inc.'s answers to Pltf's second interrogatories, filed. s
8-30	25.	Defts' Interrogatories to Pltf, filed. b
8-30	26.	Notice to produce, filed. b
10-8	27.	Pltf's appl. for injunction, filed. k
10-8	28.	Brief in support of pltf's appl. for injunction, filed. k
10-12	MO	It is ordered by the Court that the defendants file a responsive brief within ten (10) days to pltf's appl. for injunction. (AEB-J)k cps mld
10-20	29.	Deft's mot to transfer or stay, filed. s
10-20	30.	Brief in support of Deft's mot. to transfer cause or stay proceedings and in response to application for injunction, filed. s
10-20	31.	It is ordered by the Court that the Pltf. file a responsive brief within ten (10) days to defts.' motion to transfer this case to U.S. District Court for the Eastern Dist. of Pennsylvania or stay the proceedings. s (AEB-J) cps. mld.

PLAINTIFF	DEFENDANT	DOCKET NO. _____
WILLIAM G. LACKEY	COLLEX, INC., et. al.	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1976		
11-1	32	Pltf's application for ext. of time till 11-11-76 to respond to defts.' mot. for transfer order, filed.s 0 to J
11-2	33	Order, filed, granting pltf. until 11-11-76 to respond to defts' mot. for transfer order.s (AEB-J) cps. mld.
11-11	34	Pltf's response to defts' interrogatories to pltf., filed.s
11-11	35	Pltf's response to defts' brief in support of motion to transfer cause or stay proceedings and reply to defts' brief in response to pltf's application for injunction, filed.s
11-11	36.	Pltf's response to defts' notice to produce, filed.s
11-16	37.	Pltf's mot. to compel discovery, filed.k
11-16	38.	Memorandum brief in support of pltf's mot. to compel, filed.k
11-16	MO	It is ordered by the Court that the defts. file a responsive brief w/in 10 days to pltf's mot. to compel discovery. (AEB-J)k cps mld
12-1	39.	Pltf's application to file first amendment to pltf's complaint, filed.s 0 to J
12-6	40.	Defts' application for ext. of time to respond to pltf's motion to compel discovery, filed.s 0 to J
12-7	41.	ORDER, filed, granting pltf. permission to file First Amendment to Plaintiff's Complaint. (AEB-J)lm cps mld
12-7	42.	Order, filed, granting defts. until 12-22-76 to respond to pltf's motion to compel discovery.s (AEB-J) cps. mld.
12-7	43.	Pltf's first amendment to complaint, filed.k
1977		
1-4	44.	Stipulation of parties, filed.s
1-11	45.	Defts. application for ext. of time to respond to pltf's mot. to compel discovery, filed.s 0 to J
1-14	46.	Order, fld., that Defts. are granted 20 days from this date to file response to Pltf.'s Mot. to Compel Discovery. (AEB-J)v -cps. mld.
2-8	47.	Defts' response to pltf's mot. to compel discovery, filed.s
2-9	48.	Defts' supplemental answers to pltf's interrogs, filed.k
3-16	49	Order fld. that the motion to transfer be denied, it is further ordered that parties file simultaneous briefs w/in 30 days on motion to stay and appl for injunction. (AEB-J) cps mld ho
4-14	50	Defts brief in support of mot. to stay and in opposition to appli. for injunction, filed. lm
4-15	51	Pltf. supplemental brief in supp. of Pltf. appl. for injunction and in opposition to Defts' motion to stay. fld. ho
5-11	MO:	Case referred to Magistrate Robert S. Rizley for Findings and Recommendations on all motions. (AEB-J) njb
5-20	MO:	Case set for hearing Pltf's applic. for injunction to prohibit Initiation or Prosecution of Actions by Defts against Pltf. in any other Court Arising out of the Subject Matter of the Instant Case; Deft's motion to Stay proceedings & Pltf's motin to compel discovery on 5-31-77, at 2:15 P.M. (RSR-Mag)b nts mld

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE 1977	NR.	PROCEEDINGS	
5-31	Min	Case called for hrg. on pending motions. Pltf. & deft. represented. Pltf's appl. for injunction to prohibit initiation or prosecution of actions by defts. in any other court arising out of the instant subject matter is withdrawn without prejudice. Pltf's motion to compel discovery is withdrawn as moot. Defts' mot. to stay proceedings is withdrawn without prejudice. (RSR-Mag)k	
6-8	52	Defts. appl. to withdraw mot. to stay w/order. fld. ho 0 to J.	
6-9	"	Order, filed, granting defts' application to w/draw their Motion to stay proceedings without prejudice to refile at a later time. (AEB-J)b cps mld	
6-13	MO	The pltf. having withdrawn his appl. for injunction to prohibit initiation or prosecution of actions by defts. in any other court arising out of the instant subject matter, and pltf's motion to compel discovery, it is ordered that said appl. is overruled without prejudice as being moot, and said mot. to compel is overruled as being moot. (AEB-J)k cps mld	
6-13	53	Parties appl. to withdraw Pltf. appl. for injunction and Defts. mot. to stay. fld. ho 0 to J.	
6-13	54	Pltf. mot. to produce. fld. ho	
6-13	55	Pltf. fourth interrog. to Deft. fld. ho	
6-14	MO	The Court having heretofore allowed Defts. to withdraw their Motion to Stay Proceedings without prejudice by Order of June 9, 1977, and having allowed pltf. to withdraw his appl. for injunction and mot. to compel by minute order of 6-13-77, it is, therefore, ordered, that the joint Appl. to Withdraw Pltf's Appl. for Injunction and Defts' mot. to stay filed 6-13-77 is overruled as being moot. (AEB-J)k cps mld	
6-14	MO:	Parties are directed to hold PT conf. on or before 7-26-77 and file PT Order on or before 8-2-77. (AEB)k ntc mld	
7-25	56	Defts. appl. for ext. of time to respond to mot. to produce & Pltf. fourth set of interrog. & PT conference. fld. ho	
7-27	MO	The Court has for consideration defts' appl. for time until 8-25-77 to respond to pltf's mot. to produce & pltf's fourth set of interrogs. and to hold pre-trial conference, and, being fully advised in the premises, finds that said appl. should be granted. IT IS SO ORDERED & pre-trial order is to be filed by 9-9-77. (AEB-J)k cps mld	
9-9	57	Joint appl. for 10 days to file pre-trial order, filed.k 0 to J	
9-12	58.	Order, filed, granting parties until 9-19-77 to file pre-trial order. (AEB-J)k cps mld	
9-26	59	Pre-Trial Order fld. (AEB-J) cps mld. ho	
10-3	60	Defts. ans. to Pltfs. fourth interrog. fld. ho	
10-3	61	Defts. second set of interrog. fld. ho	
10-3	62	Defts. request to produce. fld. ho	
10-3	63	Defts. mot. to compel discovery. fld. ho (Deft. Collex, Inc.)	
10-3	64	Defts. brief in supp. of mot. for order compelling discovery. fld. ho	
10-3	MO	It is ordered that the Pltf. is granted 10 days to file a responsive brief to Defts. mot. to compel discovery. (AEB-J) cps mld. ho	
10-5	65	Pltf. appl. to correct caption. fld. ho 0 to J.	
10-11	66	Order, filed, that caption of case be changed to reflect the name of pltf. as William G. Lackey, III. (AEB-J)k cps mld to movant <i>caption changed</i>	
10-12	MO:	Case set for jury trial on 11-14-77, at 9:30 A.M. (AEB-J)b nts cert w/affid	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
10-13	67	Pltfs. mot. to compel. fld. ho	
10-13	68	Pltfs. memorandum brief in supp. of mot. to compel. fld. ho	
10-13	69	Pltfs. brief in opposition to Defts. mot. to compel discovery. fld. ho	
10-13	MO	It is ordered that the Defts. are granted 10 days to file a responsive brief to Pltfs. mot. to compel. (AEB-J) cps mld. ho	
10-14	70	Pltfs. 5th interrog. to Defts. fld. ho	
10-27	71	Joint appl. for continuance from jury docket. fld. ho 0 to J.	
10-28	72.	Order, filed, striking case from jury trial of 11-14-77, to be reset on January docket. (AEB-J)b cps mld	
10-31	73.	Defts' Brief in reply to Pltff's brief in opposition to Defts' motion to compel Discovery, filed. b	
11-14	74	Defts. objections to Pltfs. fifth interrog. fld. ho	
11-14	75	Defts. brief in supp. of obj. to Pltfs. fifth interrog. fld. ho	
11-17	76	Pltfs. responses to Defts. second set of interrog. fld. ho	
11-17	77	Pltfs. brief in response to Defts. objections to Pltfs. 5th interrog. fld. ho	
11-17	78	Pltfs. response to Defts. mot. to produce. fld. ho	
11-17	79	Pltfs. brief in supp. of their obj., in part, to Defts. mot. to produce. fld. ho	
12-1	MO	Case referred to Mag. Robert S. Rizley pursuant to Order No. M-128. (AEB-J) mm	
12-1	MO:	Case set for hearing on motions before Mag. Rizley on 12-12-77, at 11:30 A.M. (RSR-Mag) b nts by KT	
12-12		Case called for hearing before Mag. Rizley on Deft. Collex, Inc.'s motion to compel discovery & defts' objection to Pltff's 5th interrog. & on pltff's motion to compel. Parties rep. Pltff's motion is sustained. Deft. Collex's motion is sustained in part & overruled in part. The object. to Pltff's 5th interrog. is overruled. Pltff. to prepare order w/in 10 days. (RSR-Mag) b	
12-14	80	Defts. ans. to Pltfs. fifth interrog. fld. ho	
12-29	81.	Order, filed, that defts' mot. to compel discovery is granted & overruled in parts; pltff's mot. to compel of 10-13-77 is granted as to the reports referred to in paragraph 1, which defts shall furnish to pltff.; defts' objection to pltff's 5th interros. are overruled & defts are ordered to respond thereto; pltff's objections to defts' mot. to produce is granted in part & overruled in part; defts. should produce a copy of the list referred to in the 10-8-75 letter from W. Smolda to pltff.; & parties are to comply with this order w/in 30 days. (RSR-Mag)k cps mld	
<u>1978</u>			
1-10	82	Pltfs. supplemental ans. to Defts. Interrog. fld. ho	
1-18	MO:	Case set for jury trial on 2-13-78, at 9:30 A.M. (AEB-J)b nts cert w/affid	
2-3	MO:	IT IS ORDERED that this case is stricken from 2-13-78 docket and reset on 3-13-78, jury docket at 9:30 A.M. (AEB-J)b nts mld	
3-3	83	Joint appl. for continuance, fld. ho 0 to J.	
3-6	MO	The Court has for consideration the joint appl. to strike jury trial setting of 3-13-78 & finds that same should be granted. IT IS SO ORDERED and this case is reset on the next jury docket to be held in April, 1978. (AEB-J)k cps of orig order mld	

DC-111A (Rev. 1/75)

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF Wm. G. Lackey III		DEFENDANT Collex, Inc.	DOCKET NO. <u>76-C-105-B</u> PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
3-22	MO:	Case is re-set for jury trial on 4-10-78, at 9:30 A.M. (AEB-J)b cps mld	
4-3	84	Pltfs. trial brief, fld. ho	
4-3	85	Pltfs. requested voir dire, fld. ho	
4-3	86	Pltfs. requested instructions, fld. ho	
4-6	MO:	By agreement of parties this case is referred to Royce Savage, as Special Master for jury trial, commencing 5-8-78, 9:30 A.M. & stricken from docket set for 4-10-78. This case is scheduled to be 1st case on 5-8-78 docket. FORMAL ORDER to follow. Case will be tried in Ct. rm. #3. (AEB-J)b nts by phone & ml	
4-6	87.	Order of Reference to Special Master Royce Savage, filed. (AEB-J)b cps mld	
4-7	88.	Letter to Judge Barrow from Richard B. Noulles, pltf. counsel, filed as supplement to pltf's trial brief.k	
4-14	89.	Defendants' trial brief, filed. g	
4-14	90.	Defendants' points for charge, filed. g	
4-14	91.	Defendants' proposed questions for voir dire, filed. g	
4-25	MO:	Case set for final conf. before Special Master Royce Savage for Fri., 4/28/78 at 9:30 a.m. in Judge Barrow's conf. room. (RHS-SM)rm-parties phoned & notice	
4-28	Min:	Final pretrial conf. held before Royce Savage, S.M. Counsel present. Statements made. Pltf. to prepare addl. pretrial order. Case set for jury trial for 5/8/78 at 9:30 a.m. and will take approx. 4 to 5 days to try. (RHS-SM)rm	
4-28	92.	Suppl. response of pltf. to defts. notice to produce and to defts. mo/produce, filed. rm	
5-2		Ret. of USM service of sub. fld. unserved A. H. Slemp, Jr. (USM \$1.44) ho	
5-8		Case called for jury trial. Sid Dunagan present for Pltf. co. Mr. Noulles who is ill. Mr. Jack Gaither present for deft. Parties announce settlement of case. Pltf. is preparing Journal Entry of Judgment. (RSR-Sp. Master) b	
5-22	93	Consent judgment, fld. & entered. (AEB-J)ho c/m	